


### REMARKS/ARGUMENTS

Reconsideration is requested of all rejections based on 35 U.S.C. 102:

The rejection of claims 1 and 4 is based on Komuro et al. (US 6,530,141), particularly their figure 15. Examiner presents his argument by reciting each line of our claims 1 and 4, indicating for each feature described, where (he argues) its counterpart may be found in said figure 15 of Komuro. We respectfully draw examiner's attention to the following incorrect interpretations of what we claim:

(1) (lines 5-7 of claim 1) "extending for an amount in a direction normal to said first surfaces, one ledge from each pole (items 16 and 18), said ledges having second surfaces that are coplanar, parallel to, and opposed to, said first surfaces;"

Comment: To satisfy the restriction of being both parallel and non-opposing, said first surfaces must be the vertical surfaces of elements 11 and 15 (examiner agrees since he refers to these as front surfaces). However, figure 15 does not satisfy the restriction of elements 16 and 18 having second surfaces that are opposed to said first surfaces. If the second surfaces are horizontal surfaces, they will be opposing but not coplanar. If they are vertical surfaces, they will be coplanar, but will not oppose said first surfaces.

Note that both restrictions are satisfied by elements 11 and 41 in our FIG. 4 where the second surfaces are vertical and lie in the ABS plane. 

(2) (lines 4-5 of claim 4): "a non-magnetic layer that abuts, and extends away from, said primary pole on a first side (figure 15 item 14)."

Comment: Item 14 does not abut primary pole 15, but lies on it. What it does abut is items 16, 17, and 18. The term 'abut' implies touching at one end, not covering.

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See, for example, The American Heritage Dictionary. Furthermore, item 14 is described (col. 8 line 42) as an insulating film, not a non-magnetic layer, as is specified in claim 4. This is an important difference as not all insulating materials are non-magnetic and most non-magnetic materials are not insulators. Thus, if item 14 of figure 15 were a non-magnetic layer, as we claim, it could be a metal and, were it so, it would short circuit coils 13.

Reconsideration is requested of all rejections based on 35 U.S.C. 103:


Claims 3, 5, 7, 8 and 10 depend on Claims 1 and 4, which are believed to be both novel and non-obvious over Komoru in view of Takano in the case of Claims 3 and 10, and over Komoru in view of Sasaki with regard to Claims 5, 7 and 8, for the reasons cited above.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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